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SUBJECT: VLADIMIR LUKIN, RUSSIA'S PRAGMATIC HUMAN RIGHTS
OMBUDSMAN

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[C](#). 05 MOSCOW 1028

Classified By: Ambassador William J. Burns. Reasons: 1.4 (B/D).

[1](#)1. (C) SUMMARY: Russia's Human Rights Ombudsman Vladimir Lukin will visit the U.S. May 23-26. A former diplomat (who was once Russia's Ambassador in Washington) and Duma member from the Yabloko Party, Lukin has had a mixed reputation in Russia's human rights community. Many activists view him as doing a better job than expected and acknowledge that he remains among their few channels to Kremlin decisionmakers. His office's recently-released report on Russia's human rights situation in 2005 included strong criticism of the government in important areas such as violence against journalists and racial, ethnic, and religious minorities, where Lukin believes his office can have some impact. Lukin's U.S. visit will provide a good opportunity for Washington officials to raise our human rights concerns and discuss ways in which we might work constructively on Russia's efforts to address them. END SUMMARY.

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A GOOD PEDIGREE

[1](#)2. (C) In February 2004 President Putin selected Vladimir Lukin as Russia's Human Rights Ombudsman. Given his background as a prominent Yabloko party politician and Duma member, Lukin's appointment was welcomed by civil society activists (ref A). Although some expressed concern about his limited background in human rights issues, he got good reviews for learning the issues quickly. Many activists also saw improving the staff of the Ombudsman's office as an early challenge for Lukin. He is seen as having made progress on that front; Tatyana Lokshina of the Demos Center, for instance, told us that Lukin and his immediate staff have become helpful, even if much of the rest of the Ombudsman's office remains relatively unresponsive.

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LUKIN'S ROLE AS OMBUDSMAN

[1](#)3. (SBU) Lukin's approach is often contrasted to that of Ella Pamfilova, Chair of the Presidential Council on Promoting the Development of Institutions of Civil Society and Human Rights. Pamfilova is viewed as more outspoken and as more actively helpful to many human rights activists, although she, like Lukin, tries to put a positive face on many Putin policies. Lukin's approach is seen as more cautious and pragmatic. Yet many activists acknowledge that the difference in approach also results at least in part from the division of labor between them. Pamfilova and her Council focus on broader policy issues, while Lukin's chief responsibility is to address specific human rights complaints. Lukin has told us that his office receives approximately 40,000 complaints annually, about half related

to socio-economic problems and a third to law enforcement abuses. Lukin's office also receives complaints regarding pressure on the media and violence against ethnic, religious, or racial minorities.

¶4. (C) In responding to complaints, Lukin utilizes both private and public approaches. In contrast to Oleg Mironov, his predecessor as ombudsman, Lukin regularly meets with Putin. Lokshina told us Lukin tries to work behind the scenes on some of the more sensitive human rights issues, believing that will bring more results than high-profile public criticism. Yet on occasion Lukin speaks out forcefully, as in recent public statements on hazing in the military and the recent upsurge in violent xenophobic attacks. His remarks criticizing law enforcement organs for their handling of xenophobia, as well as information from his office's 2004 report, were cited by Amnesty International in its own report on the issue.

¶5. (SBU) Lukin has used his annual report on human rights, the 2005 edition of which he presented to Putin on April 21 (available online at <http://ombudsman.gov.ru/doc/ezdoc/05.shtml>), to direct public attention to some of his concerns. The report did not go into depth on some issues, such as Chechnya, although even there he identified it, "despite some stabilization," as a continuing threat to people's lives both in and beyond Chechnya, adding that "The spread of destructive processes to the entire North Caucasus region brings special dangers with it." His discussion of the implementation of socio-economic "rights" relating, e.g., to costs of housing and utilities, reflects an approach different from that of the U.S. but one that has political resonance here. He also put clear emphasis on some serious problems in the area of civil and

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political rights. In the section on freedom of speech, for example, he stressed that the state controls some 90 percent of the mass media and the public has problems with access to objective information ("Unfortunately, the example of the 'Ekho Moskv' radio station is no more than an exception" in Russia's electronic media landscape). He also discussed the problem of nationalism and xenophobia in Russia and criticized law enforcement's response to the issue and noted the public's lack of trust in the judiciary, underscoring concerns with the objectivity of the courts in cases against the authorities. He also highlighted serious human rights problems in the military.

¶6. (SBU) We would call attention to several comments Lukin made in the report that provide a good sense both of his nuanced approach to his duties and some of his outspoken criticism:

- "Political judgments are beyond the competence of the Ombudsman. Nonetheless one cannot avoid directing attention to the fact that the restructuring of the system of state power that continued in 2005, which was explained in terms of the growth of the extremist terrorist threat, did not meet with full understanding in Russian society and was evaluated by a part of the citizenry as entailing the destruction of their constitutional rights and freedoms. However, the Constitutional Court of the Russian Federation did not agree with those apprehensions."

- As a conclusion to the "General Assessment," Lukin said, "All this gives grounds for cautious optimism with regard to the mid- and long-term prospects for the establishment in Russia of a socially responsible democratic state and a mature civil society."

- "...representatives of political forces regarded as oppositionist systematically encounter substantial hardships in trying to communicate their point of view to the broad public in the programs of federal television. Once again on those channels one point of view is being generally asserted

with regard to what is happening in the country and the world, and active discussion of current issues in our lives is only weakly represented in live programming. This is a harmful and dangerous tendency."

¶7. (C) Many human rights activists see Lukin as being insufficiently critical of the Kremlin, but some of them, such as Aleksandr Petrov of Human Rights Watch, tell us he is doing a better job than expected. In addition, they recognize that he remains among the few channels they have to the authorities. Some note that his cautious approach sometimes gives them an indication of what can realistically be achieved on human rights issues.

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EMBASSY TIES

¶8. (C) Lukin is a useful Embassy interlocutor on human rights issues. In a January meeting with DRL A/S Lowenkron (ref B), he voiced his concerns about the first draft of the controversial NGO legislation and noted that his office had seen an increase in complaints of human rights violations. In a recent meeting, he urged USAID to work as much as possible with other governments and to consult with relevant GOR officials on USAID's more controversial projects. He also suggested working on issues of concern to the GOR, such as discrimination against persons with disabilities. He has been an important interlocutor on broader issues, including Russia's relations with its neighbors (ref C).

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COMMENT

¶9. (C) Lukin is not as outspokenly critical as many civil society activists would like, but he is no "Kremlin stooge." He has taken important stands -- both publicly and privately -- on key human rights issues. He has good Kremlin access and a well-developed sense of what is realistic in light of Kremlin policies. His upcoming U.S. visit will provide an excellent opportunity to exchange views with an official with some ability to influence developments, and to discuss ways in which we might work constructively on the human rights situation in Russia.

BURNS